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European Conference of Postal and  
Telecommunications Administrations

European Radiocommunications  
Committee



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Ms Magalie Salas,  
Secretary,  
Federal Communications Commission,  
The Portals,  
445 Twelfth Street S.W.,  
Washington D.C. 20554,  
United States

Ref: Ex Parte  
ET Docket No. 95-18 /  
File 188-SAT-LO1-9A

22 March 1999

Dear Ms Salas,

#### EUROPEAN S-PCS REGULATORY FRAMEWORK

The European Radiocommunications Committee (ERC) has been informed of the on-going discussions in the United States on the access to 2 GHz Mobile Satellite Service (MSS) spectrum and, in particular, of the recent Ex-Parte presentations (ref. 1 and 2) made by Iridium, in which references have been made to the planning of the 2 GHz MSS frequency bands within Europe. More Specifically, the Iridium's January 20, 1999 Ex Parte presentation states "... that no US-licensed 2 GHz MSS system will be able to access spectrum in the 2 GHz bands in Europe until at least the year 2005...". ERC, having considered the matter, have come to the opinion that these references made to the European position could have resulted from a misunderstanding of the European regulatory framework, and it was agreed that I, as the chairman of the ERC, should write to you to clarify the European position.

#### EUROPEAN S-PCS REGULATORY FRAMEWORK

The MSS systems operating in the bands 1610 – 1626.5 MHz, 2483.5 – 2500 MHz and 1980 – 2010 MHz and 2170 – 2200 MHz and providing personal communications have been addressed within a "family of Decisions" adopted by CEPT under the title of "Satellite –Personal Communications Services" or S-PCS. The ERC Decisions are:

ERC Decision (97)03: "on the Harmonised Use of Spectrum for Satellite Personal Communication Services (S-PCS) operating within the bands 1610-1626.5 MHz, 2483.5-2500 MHz, 1980-2010 MHz and 2170-2200 MHz";

ERC Decision (97)04: "on transitional arrangements for the Fixed Service and the Mobile-Satellite Service in the bands 1980-2010 MHz and 2170-2200 MHz in order to facilitate the harmonised introduction and development of Satellite Personal Communications Services;

ERC Decision (97)05: "on free circulation, use and licensing of Mobile Earth Stations of Satellite Personal Communications Services (S-PCS) operating within the bands 1610-1626.5 MHz, 2483.5-2500 MHz, 1980-2010 MHz and 2170-2200 MHz within the CEPT.

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The CEPT ECTRA committee has also adopted a Decision on S-PCS:

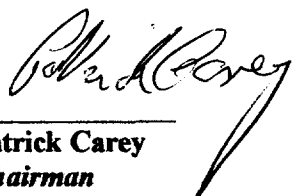
ECTRA Decision (97)02 "on harmonisation of authorisation conditions and co-ordination of procedures in the field of Satellite Personal Communications Services (S-PCS) in Europe, operating within the bands 1610-1626.5 MHz, 2483.5-2500 MHz, 1980-2010 MHz and 2170-2200 MHz.

These Decisions were adopted after extensive consultations with industry. I understand most US S-PCS companies, including Iridium, were directly involved in the consultations. The frequency table given in the ERC Decision (97)03 resulted from these extensive consultations, and accurately reflects the proposals made by industry to gain access to the frequency bands concerned, by 1 January 2001. It should be noted that spectrum had been designated to all S-PCS systems – proposed by industry – meeting certain initial criteria. You will see that S-PCS systems originating from the US had been given access to the full bandwidths requested, i.e. 1610 – 1626.5 MHz and 2483.5 – 2500 MHz bands, a total of 2 x 16.5 MHz. The 2 GHz bands allocated to MSS in Region 1 were also considered by the ERC, and according to the proposals made by industry ICO and Inmarsat, amongst others, had been given access to the bands 1995 – 2010 MHz and 2185 – 2200 MHz, a total of 2 x 15 MHz. There have been no subsequent proposals made with regard to the access to the access to the 2 GHz MSS bands.

The CEPT under the ERC Decision (97)03 and ECTRA Decision (97)02 have established a milestone based procedure to overcome the possibility of designating spectrum for paper satellites. This procedure is administered by the Milestone Review Committee.

The CEPT has already identified the bands 1980 – 2010 MHz and 2170 – 2200 MHz for MSS/S-PCS, incorporating the satellite component of UMTS (IMT-2000). My committee would further consider the need to designate spectrum at 2 GHz MSS bands to new S-PCS or satellite component of UMTS systems on the basis of European needs as well as the interest shown by industry. Designation of spectrum for new systems, which are to be brought into operation after 1 January 2001, may be facilitated with the review of the Decision ERC (97) 03. This review may take place, if necessary, after two years from the date of the adoption of this Decision. ERC Decision (97)03 was adopted on 30 June 1997.

Yours sincerely,



**Patrick Carey**  
*Chairman*  
*CEPT European Radiocommunications Committee*

Ref 1: Iridium Ex Parte presentation dated January 20, 1999.  
ET Docket No. 95-18  
IB Docket No. 96-132

Ref 2: Iridium Ex Parte presentation dated January 27, 1999  
ET Docket No. 95-18  
IB Docket No. 96-132

Copy to Mr. N. Argyris, Director, DG XIII, European Commission

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